

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/831,164 Confirmation No. : 1111  
First Named Inventor : Guenter ANDRASCHKO  
Filed : August 9, 2001  
TC/A.U. : 3634  
Examiner : Gregory STRIMBU  
  
Docket No. : 029209.49872  
Customer No. : 23911  
  
Title : Automatic Door or Window System

COMMUNICATION AND RE-SUBMISSION OF PETITION TO  
WITHDRAW HOLDING OF ABANDONMENT

(Office Error)

**Mail Stop Petitions**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant, by way of the undersigned, re-submits the attached Petition to Withdraw Holding of Abandonment. The Petition was submitted to the Office on March 29, 2006, as is evidenced by the attached copy of the return receipt postcard bearing the OIPE stamp. This Petition has not been acted on by the Office.


On October 26, 2006, the office for undersigned contacted the Petitions Branch to make a status inquiry regarding this Petition. Steven Brantley, of the Petitions Branch, stated that the Office did not have record of the Petition's receipt and advised the Applicant to resubmit the Petition with proof of receipt by the Office thereof.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 029209.49872).

Respectfully submitted,

November 3, 2006



James F. McKeown  
Registration No. 25,406

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JFM:pjc

Attorney Docket: 029209.49872US  
First Named Inventor: Guenter ANDRASCHKO  
Serial No.: 09/831,164  
Filing Date: August 9, 2001

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The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- X Petition to Withdraw Holding of Abandonment
- X Copies of docket records for August 29, 2003; September 29, 2003, and October 29, 2003

JFM:rcs



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 09/831,164  
First Named Inventor : Guenter ANDRASCHKO  
Filed : August 9, 2001  
TC/A.U. : 3634  
Examiner : G. Strimbu  
  
Docket No. : 029209.49872US  
Customer No. : 23911  
  
Title : Automatic Door or Window System

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**UNDER 37 CFR 1.181(a) and MPEP 711.03(c)I**

**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant, by and through the undersigned attorney, respectfully petitions for revival of the above-identified application on grounds that abandonment thereof was unavoidable, or at the very least, unintentional. As the attorney in charge of the application has retired, the undersigned presents the following facts on information and belief.

During a telephone conversation between Examiner Gregory Strimbu and Donald D. Evenson, the retired attorney, on February 20, 2004, Mr. Evenson was advised that the above-identified application was abandoned for failure to respond to a Restriction Requirement mailed July 29, 2003. Examiner Strimbu

indicated that the Restriction Requirement was mailed to a previous address (Suite 700, 1200 G Street NW, Washington, DC 20005) although a Change of Correspondence Address giving the current address of applicant's representative law firm was filed in August 2001. Examiner Strimbu confirmed that the Change of Correspondence Address was received. Accordingly, the Change of Correspondence Address does not appear to have been entered.

Examiner Strimbu indicated that the Notice of Abandonment would be mailed to the correct address (P.O. Box 14300, Washington, DC 20044-4300), but the Notice was never received. Status inquiries were filed on March 7, 2003; March 26, 2004; and October 27, 2004, but no responses thereto were received.

Withdrawal of the holding of abandonment is hereby respectfully requested on grounds of non-receipt of the Restriction Requirement.

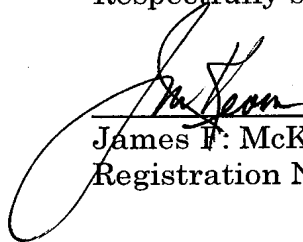
A search of the file jacket and docket records indicates that the Restriction Requirement dated July 29, 2003 was not received by the undersigned, applicants' counsel. Copies of counsel's docket records for August 29, 2003; September 29, 2003; and October 29, 2003 are enclosed, as the undersigned does not know how many months were provided for responding to the Restriction Requirement. The docket records contain no entry for the above-identified patent application.

No fee is believed due for this Petition. However, in the event a fee is required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 03-1323 (Ref. # 029209.49872US).

If there are any questions regarding this Petition or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Respectfully submitted,

March 29, 2006



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Registration No. 25,406

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Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
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JFM:rcs

# DAILY DUE DATES

August 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
<del>38MP/49232</del>	<del>JTH</del>	<del>FOR NOA</del> <sup>TBF PCE</sup>	8/29/03	Reply, PCE	RM
<del>225M4/51868</del>	<del>RLG</del>	<del>Issue Fee</del> <sup>Per G. Fee</sup>	7/2/03	Issue Fee/ Ruber	RM
<del>38MT/482980</del>	<del>GRE</del>	<del>(no ext) Response</del>		Colled	RM
<del>951/50459</del>	<del>WBA</del>	<del>(no ext) FOR NOA</del>		Colled	RM
<del>225M4/50870</del>	<del>RLG</del>	<del>(no ext) Response</del>	8/27/03	Answer, no ext.	RM
<del>056227-50366</del>	<del>JFH</del>	<del>(no ext) Response</del>		Colled	RM
<del>2270/12409</del>	<del>WJS</del>	<del>(no ext) Suspended</del>		New Susp-Ing. mailed. Susp. Resp. Due: 11/25/03.	RM
<del>133221A2</del>	<del>WJS</del>	<del>(no ext) Renewal</del>		Colled	RM
<del>095309-50712</del>	<del>RLG</del>	<del>(no ext) Resp.</del>	8/28/03	Response	RRD
<del>095309-50511</del>	<del>RLD</del>	<del>(no ext) Resp.</del>	8/28/03	Reply	RRD
<del>100337-502770</del>	<del>RLT</del>	<del>(no ext) Restr. Restriction.</del>		Colled	RM
<del>100352-12444</del>	<del>WJS</del>	<del>(no ext) NOA</del>		Colled	RM

# DAILY DUE DATES

AUGUST 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
037/50337	VJS	<del>Issue Fee</del> <del>pub. Fee</del> <del>TRF</del>	8/29/03	<del>Issue Fee</del> <del>pub. Fee</del>	<del>WJ</del> <del>WJ</del>
037/50337	VJS	Forward Dt. TRF.	8/29/03	Forward Dt.	WJ
1148X/49777	GEF	<del>Issue Fee</del> <del>pub. Fee</del>	see master sheet	Case transferred to Seed on 7/2/03	WJ
1748X/49777	GEF	Forward Dt.	-11-	-11-	WJ
225/50983	SZ	<del>Issue Fee</del> <del>pub. Fee</del>	7/2/03	Issue Fee / Pub Fee	WJ 7/2/03
225/48917	GEF	FOR / NOA	8/19/03	amended	WJ 8/19/03
225/47924	VJS	<del>FOR</del> <del>NOA</del>	8/29/03	Response Polled	WJ
225/44/50233	WGA. DDT	OR Response		Polled	WJ
225/51384	SZ	OR Response	7/17/03	Reply	WJ 7/17/03
225/51259	WGA. JDT	OR Response	8/29/03	divided, Drugs. ADS copy	WJ
31346/50431	WGA. WJH	FOR / NOA		Polled	WJ



# DAILY DUE DATES

SEPTEMBER 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
029310.5237615	KLI	Missing Parts	9/26/03	EX. DPA, 105	✓
029310.5237705	KLI	Missing Parts	9/25/03	EX. DPA, Suppl. 105	✓
07236.5195705	GRE	Missing (e.g. 7BF)	9/29/03	EX. DPA, 105,	✓
100337.5407745	PLT	Restoration		Collected	✓
95007.50366	JFH	(Insert) Response		Collected	✓
37314/50431	HLC	(Insert) PET/PT/FA/NOA	9/29/03	Reply, Insert, PET	✓
225/47924	VJS	(Insert) NOA		Collected	✓
95150459	NOA	(Insert) FA/NOA	9/29/03	And 2 insert found missing Collected	✓
20544/50233	NOA	(Insert) OR Response		Collected	✓
23/3322142	WJS	(Insert) Response		Collected	✓
00352.10944	WJS	(Insert) All		Collected	✓

September 29, 2003

[illegible]

# DAILY DUE DATES

OCTOBER 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
18600/12543	AS	Sou/Eat.	<del>Scheduled</del> Att'd	See instruction letter Sweeney from IS	for
095309.51354	ARD	1554e Fee Pub Fee	10/29/03	Issue Fee/Pub Fee	for
<del>08739.16486</del>	RS	1554e Fee	8/14/03	1554e Fee	for
029319.515145	HIC	1554e Fee Pub Fee	9/11/03	1554e Fee Pub Fee	for
080437.49880	JDS	1554e Fee Pub Fee	10/28/03	Issue Fee/Pub Fee	for
056209.50314	JFM	1554e Fee Pub Fee	10/28/03	Issue Fee/Pub Fee	for
056204.477AC3	JFM	1554e Fee Pub Fee	10/28/03	Issue Fee/Pub Fee	for
1798/50884	JDF	OR Refractor	<del>10/28/03</del>	SEE ATTACH RE: DB ADON	for
12442/42857	JTH	FOR/NOA	10/27/03	Att'd final Ref'd policed	for
056285.48456	HIC/ HIC	FOR/NOA		ROLL	for
2257/50656	JDF	OR Refractor	10/28/03	Ref'd. SubSpec.	for

for

## DAILY DUE DATES

OCTOBER 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
225/5143445	GE	OR Response		Roll	J
225/4957402	SE	OR Response		Roll	J
17844/44965	70E	OR Response	10/29/03	Response to be filed	SE
038739.23009	RS	Issue Fee	8/19/03	Issue Fee	(J)
100274/12924	Gu/WJS	SOL	8/4/03	SOL, specimen	WJM
100274/12925	Gu/WJS	SOL	8/4/03	SOL	WJM
038713.5250345	JDE	Missing Parts	10/29/03	Miss #1 Dec. Post	J
038819.52476V5	GRE	Missing Req.	10/29/03	Response. Dec. Post	J
056807.50366	JFH	(3 no ext) Response	10/29/03	(3 no ext) Response	J
225/477924	VJS	(2 no ext) NOA	10/29/03	NOA 2 no ext	J
100352.12944	WJS	(3 no ext) NOA	10/29/03	NOA 3 no ext	J

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ATTACHGust can not  
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# DAILY DUE DATES

Octo Ber 29, 2003

CLIENT MATTER	WORKING ATTORNEY	TYPE OF RESPONSE DUE	DATE FILED	ACTION TAKEN	REVIEW ATTORNEY
22544/50233	WGA	(2mo ext) Re & process	10/29/03	(2mo ext) Response. Case transferred per USS & SDS	R
123/33221A2	WJS	Final Renewal.	Set A Handed	Roll	R
00337.5427745	RLT	(2mo ext) Restriction		Roll	R
225/48917	GRE	(2mo ext) NOA.		Roll	R
225/50459	PRD <del>WGA</del>	(3mo ext) NOA.		Case being allowed	RKD
225/51090	VJS	Restriction.	10/15/03	Response.	R
010479.50225301	HIC	Restriction.	See Attach	Per HIC ABANDON	R